

DEPARTMENT OF CONSERVATION

OFFICE OF MINE RECLAMATION

801 K STREET • MS 09-06 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 323-9198 • FAX 916 / 445-6066 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

INVITATION FOR BIDS Notice to Prospective Bidders

May 18, 2007

You are invited to review and respond to this Invitation for Bids (IFB), entitled "OMR2007-001 Bat Gating/Foam Closure Services." In submitting your bid, you must comply with the instructions found herein.

Note that all agreements entered into with the State of California will include by reference General Terms and Conditions and Contractor Certification Clauses that may be viewed and downloaded at the Internet site <http://www.ols.dgs.ca.gov/Standard+Language/default.htm>. If you do not have Internet access, a hard copy can be requested by contacting the person listed below.

In the opinion of the Department of Conservation, this Invitation for Bids is complete and without need of explanation. However, if you have questions, or should you need any clarifying information, the contact person for this IFB is:

Cy R. Oggins, Manager
Abandoned Mine Lands Unit
Office of Mine Reclamation
Department of Conservation
801 "K" Street, MS 09-06
Sacramento, CA 95814
(916) 323-9226
cy.oggins@conservation.ca.gov

Please note that no verbal information given will be binding upon the State unless such information is issued in writing as an official addendum.

Cy R. Oggins
Manager, Abandoned Mine Lands Unit

Table of Contents

<u>Section</u>	<u>Page</u>
A) Purpose and Description of Services.....	3
B) Bidder Minimum Qualifications	3
C) Bidder Desirable Qualifications.....	3
D) Bid Requirements and Information	3
1) Time Schedule.....	3
2) Submission of Bids	4
3) Evaluation and Selection.....	5
4) Award and Protest	5
5) Disposition of Bids	6
6) Standard Conditions of Service.....	6
E) Preference Program.....	6
1) Small Business Preference	6
F) Required Attachments	6
1) Attachment 1: Required Attachment Checklist.....	7
2) Attachment 2: Bid/Bidder Certification Sheet	8
3) Attachment 3: Other Qualifying Information	10
4) Attachment 4: Cost Sheet – Sample Bat Gating Project.....	11
5) Attachment 5: Cost Sheet – Sample Culvert Bat Gating Project	12
6) Attachment 6: Cost Sheet – Sample Foam Closure Project	13
7) Attachment 7: Bidder References	14
G) Sample Standard Agreement (STD 213).....	17
H) Bat Gate Design Specifications	21
I) Culvert Gate Specifications.....	31

A) Purpose and Description of Services

The California Department of Conservation (Department) is soliciting bids from businesses with the resources, experience, and abilities to provide bat gating (including culvert gates) or polyurethane foam (PUF) closure services at various abandoned mine sites located throughout California.

At its sole discretion, the Department may award one or more contracts for each service sought as a result of this Invitation for Bids (IFB) process. Any awarded contract will be subject to approval of an exemption to [Executive Order S-4-03](#) by the Department of Finance and the Secretary for the Resources Agency.

B) Bidder Minimum Qualifications

Each bidder must meet the following minimum qualifications.

1. Current and active California Contractor License.
2. General liability insurance with limits of not less than \$2 million.
3. Completion of a certified hazard recognition course pursuant to federal Mine Safety and Health Administration (MSHA) requirements. Bidder must submit a copy of a signed [MSHA Form 5000-23](#) with "Hazard Recognition" and "Prevention of Accidents" marked in Section 5 of the Form.
4. Current CPR and first aid certificates.
5. Relevant training, experience or expertise in the design, fabrication and installation of bat-compatible gates including culvert gates and/or closure of abandoned mine openings using PUF.
6. At least three (3) references for relevant work performed within the State of California.

C) Bidder Desirable Qualifications

Possession of the following qualifications is desirable, but not required; however, a bidder that has the following qualifications may be given greater weight in the selection of a successful bidder.

1. Two years or more of experience in the design, fabrication, and installation of bat-compatible gates.
2. Two years or more of experience in the closure of abandoned mine openings using PUF.
3. Completion of at least one Bat Conservation International, Inc. course on bat gate design and installation.

D) Bid Requirements and Information

1) Time Schedule

Below is the time schedule for this procurement.

Event	Date	Time*
IFB Available to Prospective Bidders	5/18/07	12:00 p.m.
Final Date for Bid Submission	6/15/07	2:00 p.m.
Bid Opening	6/15/07	3:00 p.m.
Notice of Intent to Award	6/18/07	12:00 p.m.
Proposed Award Date	6/25/07	12:00 p.m.

* All times are in Pacific Daylight Savings Time.

2) Submission of Bids

- a) Use the following contact information to mail (including U.S. Postal Service, UPS, Federal Express, etc.) or hand-deliver bids.

California Department of Conservation
Office of Mine Reclamation
ATTN: Cy R. Oggins
801 K Street, 9th Floor (MS 09-06)
Sacramento, CA 95814
(916) 323-9198

- b) All bids must be submitted under **sealed** cover and sent to Department of Conservation by the dates and times shown in Section D, Bid Requirements and Information, Item 1) Time Schedule (page 3). The sealed cover must be plainly marked with the IFB number and title, it must show your firm name and address, and it must be marked with "Sealed Bid/DO NOT OPEN" as shown in the following example.

IFB # OMR2007-001
Bat Gating/Foam Closure Services
Department of Conservation
ATTN: Cy R. Oggins
Sealed Bid / DO NOT OPEN

Bids not submitted under sealed cover may be rejected. Two (2) copies of each bid must be submitted. Both copies of the bid can be submitted in the one sealed cover.

- c) All bids shall include the documents identified in Section F, Required Attachments (see pages 6-15). Bids not including the proper "required attachments" shall be deemed non-responsive. A non-responsive bid is one that does not meet the basic bid requirements.
- d) All documents requiring a signature must bear an original signature of a person authorized to bind the bidding firm.
- e) Bids must be submitted for the performance of the services described herein (i.e., for bat gating services, culvert gating services, foam closure services, or all of the above). Any deviation from the work specifications will not be considered and will cause a bid to be rejected.
- f) A bid may be rejected if it is conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind. The State may reject any or all bids and may waive any immaterial deviation in a bid. The State's waiver of immaterial deviation shall in no way modify the IFB document or excuse the bidder from full compliance with all requirements if awarded the agreement.
- g) Costs incurred for developing bids and in anticipation of award of the agreement are entirely the responsibility of the bidder and shall not be charged to the State of California.
- h) An individual who is authorized to bind the bidder contractually shall sign the Bid/Bidder Certification Sheet (Attachment 2, page 8). The signature should indicate the title or position that the individual holds in the firm. An unsigned bid may be rejected.
- i) A bidder may modify a bid after its submission by withdrawing the original bid and resubmitting a new bid prior to the bid submission deadline. Bidder modifications offered in any other manner, oral or written, will not be considered.
- j) A bidder may withdraw its bid by submitting a written withdrawal request to the State, signed by the bidder or an authorized agent. A bidder may thereafter submit a new bid prior to the

bid submission deadline. Bids may not be withdrawn without cause subsequent to bid submission deadline.

- k) The awarding agency may modify the IFB prior to the date fixed for submission of bids by the issuance of an addendum to all parties who received a bid package.
- l) The awarding agency reserves the right to reject all bids for reasonable cause.
- m) Before submitting a response to this solicitation, bidders should review, correct all errors and confirm compliance with the IFB requirements.

3) Evaluation and Selection

- a) At the time of bid opening, each bid will be checked for the presence or absence of required information in conformance with the submission requirements of this IFB.
- b) The State will evaluate each bid to determine its responsiveness to the published requirements.
- c) Bids that contain false or misleading statements, or which provide references that do not support an attribute or condition claimed by the bidder, may be rejected.
- d) The final selection will be made to the lowest responsive responsible bidder.

4) Award and Protest

- a) Whenever an agreement is awarded under a procedure that provides for competitive bidding, but the agreement is not to be awarded to the low bidder, the low bidder shall be notified by telegram, electronic facsimile transmission, overnight courier, or personal delivery five (5) working days prior to the award of the agreement.
- b) Upon written request by any bidder, notice of the proposed award shall be posted in a public place in the office of the awarding agency at least five (5) working days prior to awarding the agreement.
- c) If any bidder, prior to the award of agreement, files a written protest with the Department of General Services, Office of Legal Services, 707 Third Street, 7th Floor, Suite 7-330, West Sacramento, CA 95605 and the Department of Conservation on the grounds that the (protesting) bidder is the lowest responsive responsible bidder, the agreement shall not be awarded until either the protest has been withdrawn or the Department of General Services has decided the matter.
- d) Within five (5) days after filing the initial protest, the protesting bidder shall file with the Department of General Services and the awarding agency a detailed written statement specifying the grounds for the protest. The written protest must be sent to the Department of General Services, Office of Legal Services, 707 Third Street, 7th Floor, Suite 7-330, West Sacramento, CA 95605. A copy of the detailed written statement should be mailed to the awarding agency. It is suggested that you submit any protest by certified or registered mail.
- e) Upon resolution of the protest and award of the agreement, the successful bidder(s) are hereafter referred to as the Contractor.
- f) Upon resolution of the protest and award of the agreement, the Contractor must complete and submit to the awarding agency the Payee Data Record (STD 204), to determine if the Contractor is subject to state income tax withholding pursuant to California Revenue and Taxation Code Sections 18662 and 26131. This form can be found on the Internet at www.osp.dgs.ca.gov under the heading FORMS MANAGEMENT CENTER. No payment shall be made unless a completed STD 204 has been returned to the awarding agency.

- g) Upon resolution of the protest and award of the agreement, Contractor must sign and submit to the awarding agency, *page one (1)* of the Contractor Certification Clauses (CCC), which can be found on the Internet at www.dgs.ca.gov/contracts. This document is only required if the bidder has not submitted this form to the awarding agency within the last three (3) years.

5) Disposition of Bids

- a) Upon bid opening, all documents submitted in response to this IFB will become the property of the State of California, and will be regarded as public records under the California Public Records Act (Government Code Section 6250 *et seq.*) and subject to review by the public.
- b) Bid packages may be returned only at the bidder's expense, unless such expense is waived by the awarding agency.

6) Standard Conditions of Service

- a) Performance shall be available no later than five (5) days, or on the express date set by the awarding agency and the Contractor, after all approvals have been obtained and the agreement is fully executed. Should the Contractor fail to commence work at the agreed upon time, the awarding agency, upon five (5) days written notice to the Contractor, reserves the right to terminate the agreement. In addition, the Contractor shall be liable to the State for the difference between Contractor's bid price and the actual cost of performing work by the second lowest bidder or by another contractor.
- b) All performance under the agreement shall be completed on or before the termination date of the agreement.
- c) The State does not accept alternate contract language from a prospective contractor. A bid with such language will be considered a counter proposal and will be rejected. The State's General Terms and Conditions (GTC) are not negotiable.
- d) Where applicable, Contractor should carefully examine work sites and specifications. Contractor shall investigate conditions, character, and quality of surface or subsurface materials or obstacles that might be encountered. No additions or increases to the agreement amount will be made due to a lack of careful examination of work sites and specifications.
- e) No oral understanding or agreement shall be binding on either party.

E) Preference Program

1) Small Business Preference

A certified small business or microbusiness is entitled to claim a five percent preference in bidding on state contracts as explained in the State Contracting Manual, Chapter 8, Section 8.2. Certified small business or microbusinesses are also entitled to interest penalties paid by the state for late payment of invoices. The penalties are greater for certified small business or microbusinesses than for non-certified businesses. The State Contracts Manual is available on the Internet at <http://www.ols.dgs.ca.gov/Contract+Manual/default.htm>.

F) Required Attachments

Refer to the following pages for bid package required attachments.

ATTACHMENT 1

REQUIRED ATTACHMENT CHECKLIST

A complete bid or bid package will consist of the items identified below.

Complete this checklist to confirm the items in your bid. Place a check mark or "X" next to each item that you are submitting to the State. For your bid to be responsive, all required attachments must be returned.

Do not return the IFB cover letter, table of contents, sections A, B, C, D, and E (pages 1 through 6), or the sample standard agreement and bat gate design specifications at the end of the IFB.

This checklist must be returned as part of your bid package.

	<u>Attachment</u>	<u>Attachment Name/Description</u>
_____	Attachment 1	Required Attachment Checklist (i.e., this page or a copy of this page)
_____	Attachment 2	Bid/Bidder Certification Sheet (This document must be signed and submitted with the bid.)
_____	Attachment 3	Cost Sheet – Sample Bat Gating Project (This document must be signed and submitted with the bid. Indicate a total cost of "\$0.00" if you do not wish to bid on this type of service.)
_____	Attachment 4	Cost Sheet – Sample Culvert Bat Gating Project (This document must be signed and submitted with the bid. Indicate a total cost of "\$0.00" if you do not wish to bid on this type of service.)
_____	Attachment 5	Cost Sheet – Sample Foam Closure Project (This document must be signed and submitted with the bid. Indicate a total cost of "\$0.00" if you do not wish to bid on this type of service. Indicate an optional cost of "\$0.00" if you do not wish to bid on the listed optional task.)
_____	Attachment 6	Bidder References
_____	Attachment 7	Other Qualifying Information
_____	Attachment 8	Payee Data Record (STD 204) (This form can be found on the Internet at http://www.documents.dgs.ca.gov/osp/pdf/std204.pdf . This document must be signed and submitted with the bid.)
_____	Attachment 9	Contractor Certification Clauses (CCC 702) (The CCC can be found on the Internet at http://www.documents.dgs.ca.gov/ols/CCC-307.doc Page one must be signed and submitted with the bid.)
_____	Other	Submit two copies of bid(s), with original signatures, in a sealed envelope as described in Section D, Item 2).

ATTACHMENT 2

BID/BIDDER CERTIFICATION SHEET

This Bid/Bidder Certification Sheet must be signed and returned along with all the "required attachments" as an entire package in duplicate with original signatures. The bid must be transmitted in a sealed envelope in accordance with IFB instructions. (See Section D, Item 2))

Our all-inclusive bid is submitted as detailed in Attachment 4, 5 and/or 6, Cost Sheets.

- A. All required attachments are included with this certification sheet.
- B. The signature affixed hereon and dated certifies compliance with all the requirements of this bid document. The signature below authorizes the verification of this certification.

1. Company Name	2. Telephone Number ()	2a. Fax Number ()		
3. Address				
Indicate your organization type:				
4. <input type="checkbox"/> Sole Proprietorship	5. <input type="checkbox"/> Partnership	6. <input type="checkbox"/> Corporation		
Indicate the applicable employee and/or corporation number:				
7. Federal Employee ID No. (FEIN)		8. California Corporation No.		
Indicate applicable license and/or certification information:				
9. Contractor's State Licensing Board Number	10. PUC License Number CAL-T-	11. Other Licenses/ Certifications		
12. Bidder's Name (Print)		13. Title		
14. Signature		15. Date		
<p>16. Are you certified with the Department of General Services, Office of Small Business Certification and Resources (OSBCR) as:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; border-right: 1px solid black; padding-right: 10px;"> <p>a. California Small Business Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, enter certification number: _____</p> </td> <td style="width: 50%; vertical-align: top; padding-left: 10px;"> <p>b. Disabled Veteran Business Enterprise Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, enter your service code below: _____</p> </td> </tr> </table> <p>NOTE: A copy of your Certification is required to be included if either of the above items is checked "Yes". Date application was submitted to OSBCR, if an application is pending:</p>			<p>a. California Small Business Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, enter certification number: _____</p>	<p>b. Disabled Veteran Business Enterprise Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, enter your service code below: _____</p>
<p>a. California Small Business Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, enter certification number: _____</p>	<p>b. Disabled Veteran Business Enterprise Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, enter your service code below: _____</p>			

An Unsigned Bid/Bidder Certification Sheet May Be Cause For Rejection

Completion Instructions for Bid/Bidder Certification Sheet

Complete the numbered items on the
Bid/Bidder Certification Sheet by following the instructions below.

Item Numbers	Instructions
1, 2, 2a, 3	Must be completed. These items are self-explanatory.
4	Check if your firm is a sole proprietorship. A sole proprietorship is a form of business in which one person owns all the assets of the business in contrast to a partnership and corporation. The sole proprietor is solely liable for all the debts of the business.
5	Check if your firm is a partnership. A partnership is a voluntary agreement between two or more competent persons to place their money, effects, labor, and skill, or some or all of them in lawful commerce or business, with the understanding that there shall be a proportional sharing of the profits and losses between them. An association of two or more persons to carry on, as co-owners, a business for profit.
6	Check if your firm is a corporation. A corporation is an artificial person or legal entity created by or under the authority of the laws of a state or nation, composed, in some rare instances, of a single person and his successors, being the incumbents of a particular office, but ordinarily consisting of an association of numerous individuals.
7	Enter your federal employee tax identification number.
8	Enter your corporation number assigned by the California Secretary of State's Office. This information is used for checking if a corporation is in good standing and qualified to conduct business in California.
9	Complete if your firm holds a California contractor's license. This information will be used to verify possession of a contractor's license, when required.
10	Complete if your firm holds a PUC license. This information will be used to verify possession of a PUC license, when required.
11	Complete, if applicable, by indicating the type of license and/or certification that your firm possesses and that is required for the type of services being procured.
12, 13, 14, 15	Must be completed. These items are self-explanatory.
16	If certified as a California Small Business, place a check in the "Yes" box, and enter your certification number on the line. If certified as a Disabled Veterans Business Enterprise, place a check in the "Yes" box and enter your service code on the line. If you are not certified to one or both, place a check in the "No" box. If your certification is pending, enter the date your application was submitted to OSBCR.

ATTACHMENT 3

OTHER QUALIFYING INFORMATION

Submission of this attachment is mandatory (see Section B, Bidder Minimum Qualification). Failure to complete and return this attachment with your bid will cause your bid to be rejected and deemed nonresponsive.

1. Provide a copy of your Certificate of Training for completion of 40 hours of mandatory health and safety training, including annual refresher courses, as required under Public Law 91-173 as amended by Public Law 95-164.
2. Provide proof of general liability insurance with limits of not less than \$2 million.
3. Provide evidence of current CPR and first-aid certificates.
4. Provide description of, or statement of qualifications listing, relevant training, experience and expertise in the design, fabrication, and installation of bat-compatible gates and/or closure of abandoned mine openings using polyurethane foam.

ATTACHMENT 4

COST SHEET (This document must be signed and submitted with the bid. Indicate a total cost of "\$0.00" if you do not wish to bid on this type of service.)

Sample Bat Gating Project

Design, fabricate, and install a bat-compatible gate in an abandoned mine adit. Assume all of the following. The adit is located approximately 200 miles from the bidder's primary place of business. The adit entrance is 8' by 8' square in competent rock approximately 300 feet up a 30-degree slope from a road that is accessible by 4-wheel-drive vehicles only. There are no water issues. The gate must be built to American Cave Conservation Association Specifications (see Section H). The sill must be reinforced concrete with steel plates to support the attachment of the columns. The uprights must be 4" by 4" tubing, 3/8" thick. The bars must be 4" by 4" angle iron, 3/8" thick. The bat guards must be 4" plate, 1/4" thick. The pins must be #8 rebar. The gate must include a removable and lockable bar with padlock and at least 2 keys to allow subsequent access by authorized personnel. A Cal-OSHA certified gas tester must be onsite during construction of the gate. All traces of the installation, including equipment, materials, and scrap, must be removed from the site. (Note: do not include travel expenses in your bid submittal; these will be reimbursed at the current State travel rates.)

Labor Cost: \$ _____

Materials Cost: _____

Equipment Cost: _____

Other Costs (specify below): _____

Total Project Cost: \$ _____

Other Costs Details:

Billing cycle:

☐ Monthly

☐ Quarterly

☐ Semi-Annually

☐ Annually

Preferred Location (these are general categories only, with possible overlapping in Central California, should two or more contracts be awarded as a result of this IFB):

☐ Statewide

☐ Northern CA

☐ Southern CA

☐ Other: _____

Note: All services performed are paid in arrears according to billing cycle indicated above.

Signature and Title

Date

ATTACHMENT 5

COST SHEET (This document must be signed and submitted with the bid. Indicate a total cost of "\$0.00" if you do not wish to bid on this type of service.)

Sample Culvert Bat Gating Project

Design, fabricate, and install a culvert style bat-compatible gate in an abandoned mine adit. Assume all of the following. The adit is located approximately 200 miles from the bidder's primary place of business. The adit entrance is 5' by 5' square in unstable rock approximately 300 feet up a 30-degree slope from a road that is accessible by 4-wheel-drive vehicles only. There are no water issues. The gate must be built to specification provide for in this bid document (see Section I). The culvert must be 48" in diameter and 8' long. A rolled ring consisting of 3/8"x6" flat bar mild steel, must be placed in the culvert. The bars must be 4" by 4" angle iron, 3/8" thick and welded to the rolled ring. The culvert will be foamed in place with two yards of polyurethane foam, which will be covered by a layer of dirt and rock. The gate must include a removable and lockable bar with padlock to allow subsequent access by authorized personnel. A Cal-OSHA certified gas tester must be onsite during construction of the gate. All traces of the installation, including equipment, materials, and scrap, must be removed from the site. (Note: do not include travel expenses in your bid submittal; these will be reimbursed at the current State travel rates.)

Labor Cost: \$ _____

Materials Cost: _____

Equipment Cost: _____

Other Costs (specify below): _____

Total Project Cost: \$ _____

Other Costs Details:

Billing cycle:

☐ Monthly ☐ Quarterly ☐ Semi-Annually ☐ Annually

Preferred Location (these are general categories only, with possible overlapping in Central California, should two or more contracts be awarded as a result of this IFB):

☐ Statewide ☐ Northern CA ☐ Southern CA ☐ Other: _____

Note: All services performed are paid in arrears according to billing cycle indicated above.

Signature and Title

Date

ATTACHMENT 6

COST SHEET (This document must be signed and submitted with the bid. Indicate a total cost of "\$0.00" if you do not wish to bid on this type of service. Indicate an optional cost of "\$0.00" if you do not wish to bid on the optional task.)

Sample Foam Closure Project

Install a polyurethane foam (PUF) plug in an abandoned mine shaft. Assume all of the following. The shaft is located approximately 200 miles from the bidder's primary place of business. The shaft is 8' by 8' square and approximately 100 feet deep in competent rock. It is approximately 300 feet up a 30-degree slope from a road that is accessible by 4-wheel-drive vehicles only. A false bottom must be created at a depth of approximately 10 feet. PUF must then be filled up to a depth of approximately 2 feet creating an 8-foot-deep plug. Assume that the Department of Conservation will provide the PUF at no cost (note optional task below). Native soil must then be filled on top to blend in with the surrounding landscape. Assume that the fill soil is adjacent to the shaft and can be worked easily with a shovel. All traces of the installation, including equipment, materials, and scrap, must be removed from the site. (Note: do not include travel expenses in your bid submittal; these will be reimbursed at the current State travel rates.)

Labor Cost: \$ _____

Materials Cost: _____

Equipment Cost: _____

Other Costs (specify below): _____

Total Project Cost: \$ _____

Option: Provide 19 cubic yards of PUF.* Optional Task Cost: \$ _____

Total Cost with Option: \$ _____

Other Costs Details

Billing cycle:

☐ Monthly ☐ Quarterly ☐ Semi-Annually ☐ Annually

Preferred Location (these are general categories only, with possible overlapping in Central California, should two or more contracts be awarded as a result of this IFB):

☐ Statewide ☐ Northern CA ☐ Southern CA ☐ Other: _____

Note: All services performed are paid in arrears according to billing cycle indicated above.

Signature and Title

Date

* Unless otherwise specified, PUF shall have a minimum installed density of 1.85 pounds per cubic foot (p.c.f). Machine-applied or poured-in-place PUF shall be equivalent to SWD Urethane Co. "SWD 320," North Carolina Foam Inc. "NCFI-811," or Urethane Contractors Supply and Consulting "SES III 2.0 Pour". Bagged PUF shall be equivalent to Foam Concepts Inc. (800.556.9641, www.foamconceptsinc.com) "EFS Equipmentless Foam Sealant" or Mine Seal, LLC (888.732.5783, www.mine-seal.com) "PUF-Seal".

ATTACHMENT 7

BIDDER REFERENCES

Submission of this attachment is mandatory. Failure to complete and return this attachment with your bid will cause your bid to be rejected and deemed nonresponsive.

List three references for bat gating services and three references for foam closure services performed in the last five years. If three references cannot be provided for each type of service, please explain why on an attached sheet of paper.

REFERENCE 1			
Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Value or Cost of Service	
Brief Description of Service Provided			

REFERENCE 2			
Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Value or Cost of Service	
Brief Description of Service Provided			

REFERENCE 3			
Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Value or Cost of Service	
Brief Description of Service Provided			

BIDDER REFERENCES (Continued)

REFERENCE 4			
Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Value or Cost of Service	
Brief Description of Service Provided			

REFERENCE 5			
Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Value or Cost of Service	
Brief Description of Service Provided			

REFERENCE 6			
Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Value or Cost of Service	
Brief Description of Service Provided			

G) Sample Standard Agreement (STD 213)

Note to Bidders:

The following 6 pages represent a sample of the contract(s), if any, that will be awarded as a result of this IFB. Please review it carefully and present any questions in writing to the contact identified for this IFB.

STATE OF CALIFORNIA
STANDARD AGREEMENT
STD 213 (Rev 09/01)

AGREEMENT NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME

Department of Conservation

CONTRACTOR'S NAME

2. The term of this Agreement is: through

3. The maximum amount of this Agreement is: \$ 49,000

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A – Scope of Work

X pages

Exhibit B – Budget Detail and Payment Provisions

X pages

Exhibit C* – General Terms and Conditions

Check mark one item below as Exhibit D:

☐

Exhibit - D Special Terms and Conditions (Attached hereto as part of this agreement)

X pages

☐

Exhibit - D* Special Terms and Conditions

Exhibit E – Additional Provisions

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)

BY (Authorized Signature)

DATE SIGNED(Do not type)



PRINTED NAME AND TITLE OF PERSON SIGNING

ADDRESS

STATE OF CALIFORNIA

AGENCY NAME

Department of Conservation

BY (Authorized Signature)

DATE SIGNED(Do not type)



PRINTED NAME AND TITLE OF PERSON SIGNING

Douglas W. Craig, Assistant Director, Office of Mine Reclamation

ADDRESS

801 K Street, MS 09-06, Sacramento, CA 95814

**California Department of General
Services Use Only**

☐ Exempt per:

EXHIBIT A

STATEMENT OF WORK

1. The Contractor agrees to provide the Department of Conservation (Department) with bat gate or culvert gate design, fabrication, and installation services (or abandoned mine foam closure services). The Contractor agrees to provide all equipment and personnel necessary to perform this work.
2. The Contractor shall provide photos of the closure before, during and after installation of the bat gate, culvert gate or foam plug.
3. The services shall be performed in various locations throughout the state to be determined by the Department.
4. The services shall be provided between July 1, 2007 and June 30, 2008.
5. The project representatives during the term of this agreement will be:

State Agency: Department of Conservation	Contractor:
Name: Cy Oggins	Name:
Phone: (916) 323-9226	Phone:
Fax: (916) 445-6066	Fax:

6. Direct all inquiries to:

State Agency: Department of Conservation	Contractor:
Section/Unit: Office of Mine Reclamation / AMLU	Section/Unit:
Attention: Sarah Reeves	Attention:
Address: 801 K Street, MS 08-06, Sacramento CA 95814	Address:
Phone: (916) 322-4143	Phone:
Fax: (916) 445-6066	Fax:

7. Description of work to be performed and duties of all parties:

The Contractor shall perform bat gate and culvert gate design, fabrication, and installation services (or abandoned mine foam closure services) as directed by the Department.

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Invoicing and Payment

- A. For services satisfactorily rendered, and upon receipt and approval of the invoices, the State agrees to compensate the Contractor for actual expenditures incurred in accordance with the rates specified herein, which is attached hereto and made a part of this Agreement.
- B. Invoices shall include the Agreement Number and shall be submitted in triplicate not more frequently than monthly in arrears to:

California Department of Conservation
Office of Mine Reclamation
801 K Street, MS 09-06
Sacramento, CA 95814
ATTN: Sarah Reeves

Invoices shall be properly itemized, detailing the services provided. Each invoice shall reference the dates services were provided. **Invoices submitted for payment that do not comply with these specifications will be returned for correction.**

2. Budget Contingency Clause

- A. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State may be unable to close abandoned mine openings and shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.
- B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.
- C. This Agreement shall be contingent upon approval of an exemption to Executive Order S-4-03 by the Department of Finance and the Secretary for the Resources Agency.

3. Prompt Payment Clause

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

4. Cost for Services

The maximum cost for the services performed under this Agreement shall be forty-nine thousand dollars (\$49,000).

5. Progress Payments

Progress payments are permitted for projects completed under this contract. Ten percent of the invoiced amount shall be withheld pending final completion of each project. Any funds withheld with regard to a particular project may be paid upon completion of that task. For purposes of this provision, "project" shall mean all work related to the design, fabrication, and installation of a bat gate or culvert gate at a particular abandoned mine feature or all work related to the foam closure of a particular abandoned mine feature.

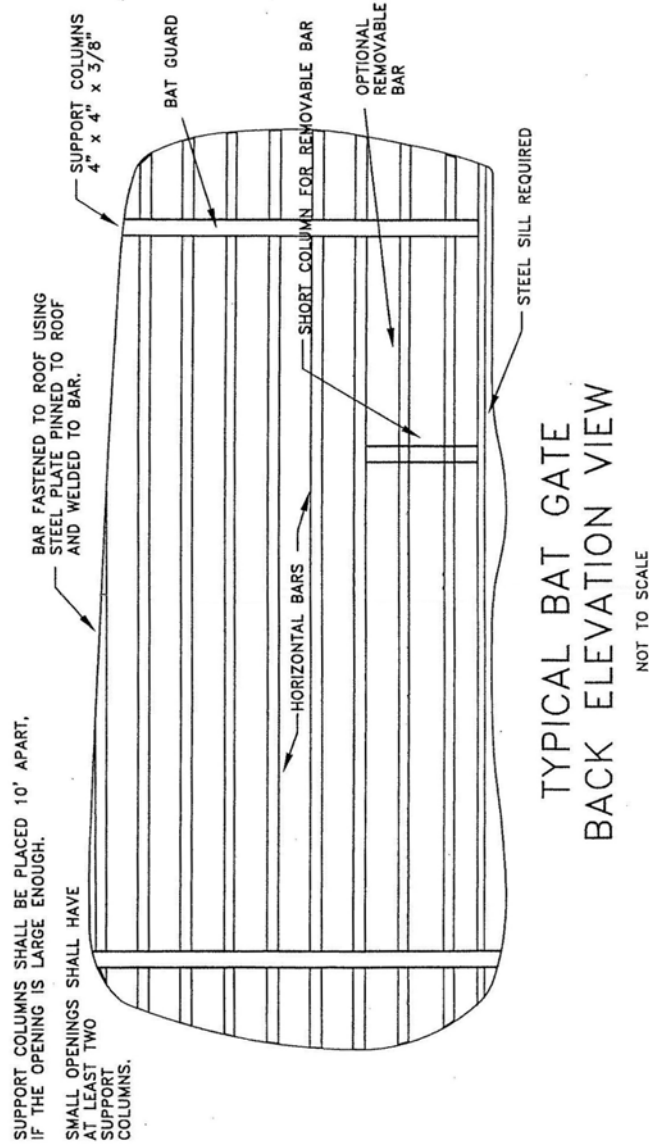
6. Contract Duration

Services under this contract shall be for one year only. The DOC reserves the option to amend the contract to extend the term up to one year and/or increase the amount of the contract. Unless the Department exercises the option to extend the contract period and/or the contract amount in writing prior to the expiration date of the contract, the contract will terminate after one year. It is the responsibility of the bidders to identify any cost differences related to work performed under a possible one-year contract extension.

7. Budget

The Department has allocated \$49,000 for services to be performed under this contract. The Department may request the Contractor to perform services by preparing work authorizations that identify the abandoned mine feature, the timeline, and the scope of work for each project. The Department will use amounts included in the "Sample Bat Gating Project", "Sample Culvert Gating Project", or the "Sample Foam Closure Project" of the Contractor's bid documents (Cost Sheet, Attachment 4, 5 or 6) as a basis for preparing budgets for individual gating or foam closure projects.

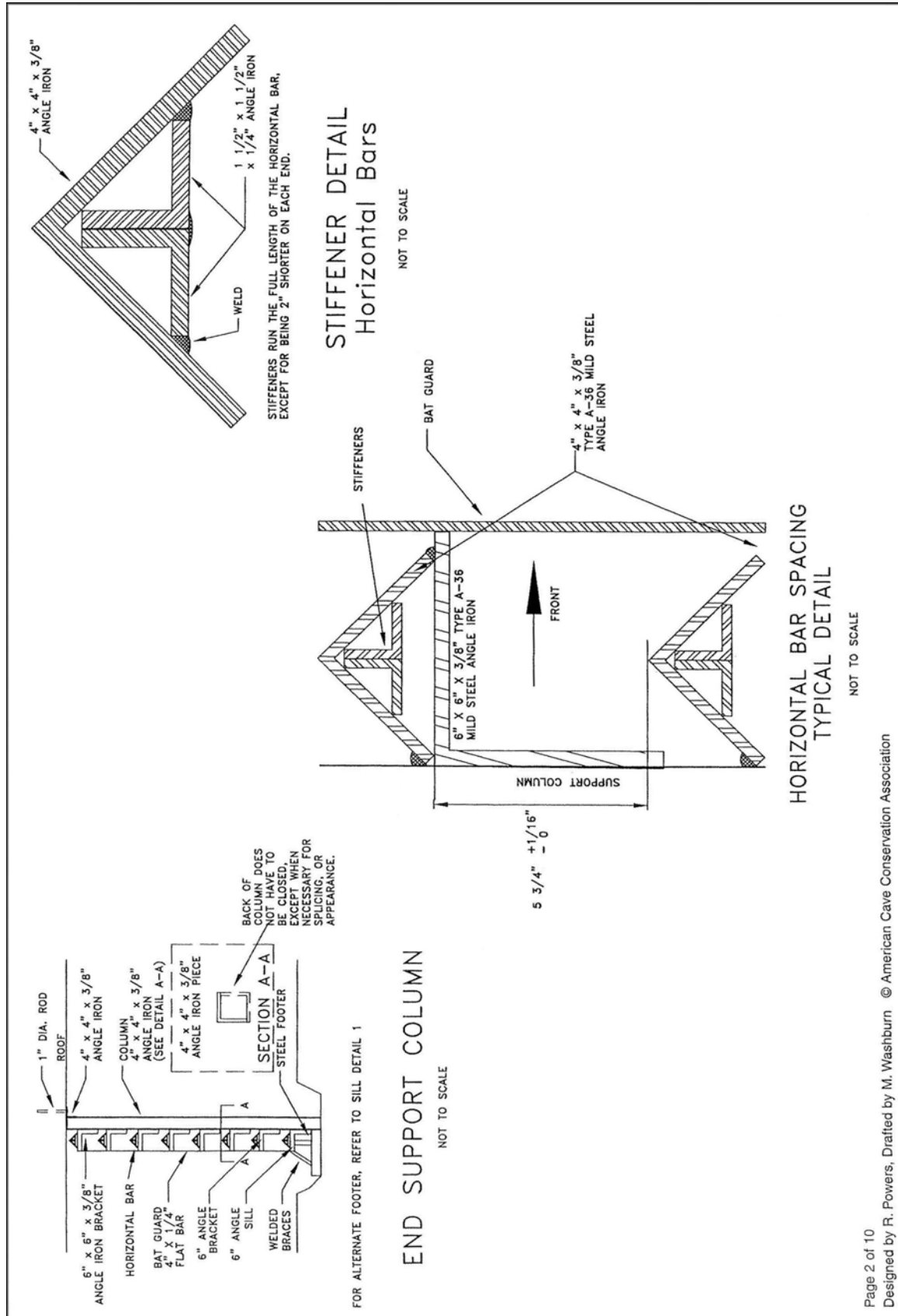
H) Bat Gate Design Specifications



Page 1 of 10
Designed by R. Powers, Drafted by M. Washburn © American Cave Conservation Association

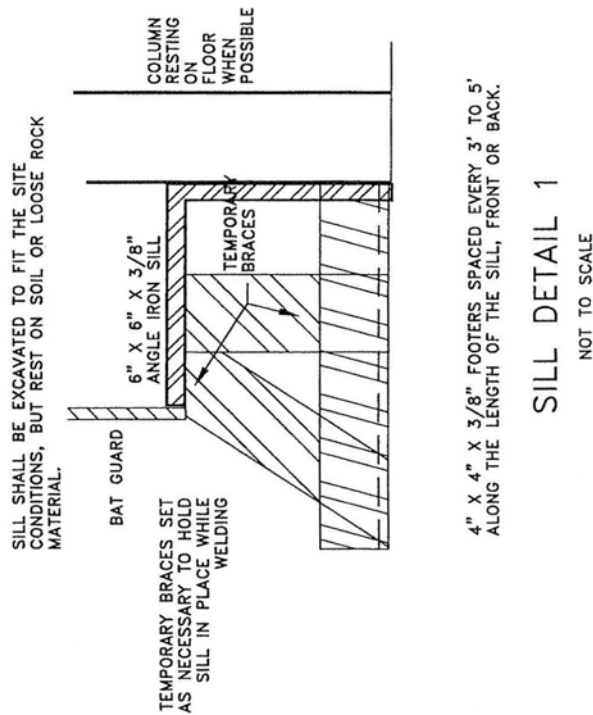
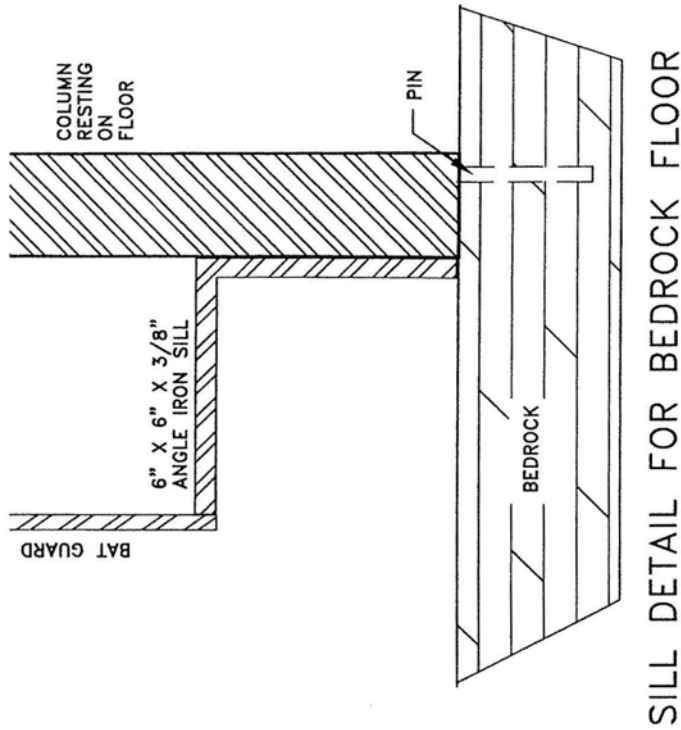
These plans are provided courtesy of the American Cave Conservation Association and are revised annually. Contact the ACCA for current construction specifications on special needs. See <http://batcon.org/home/index.asp?idPage=53&idSubPage=87>, pages 34-46 (click on the links to "Chapters" 34-46 of the Bats and Mines Handbook).

H) Bat Gate Design Specifications (continued)

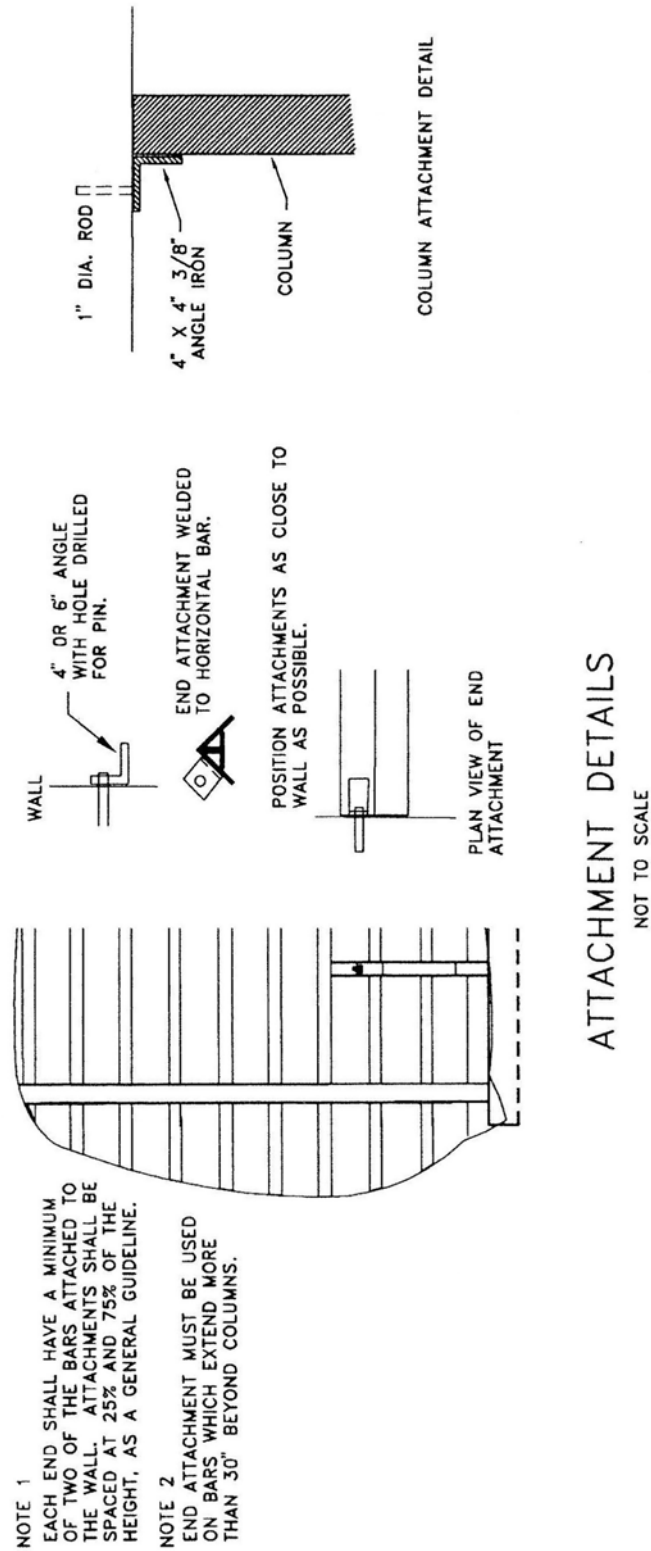


These plans are provided courtesy of the American Cave Conservation Association and are revised annually. Contact the ACCA for current construction specifications on special needs. See <http://batcon.org/home/index.asp?idPage=53&idSubPage=87>, pages 34-46 (click on the links to "Chapters" 34-46 of the Bats and Mines Handbook).

H) Bat Gate Design Specifications (continued)

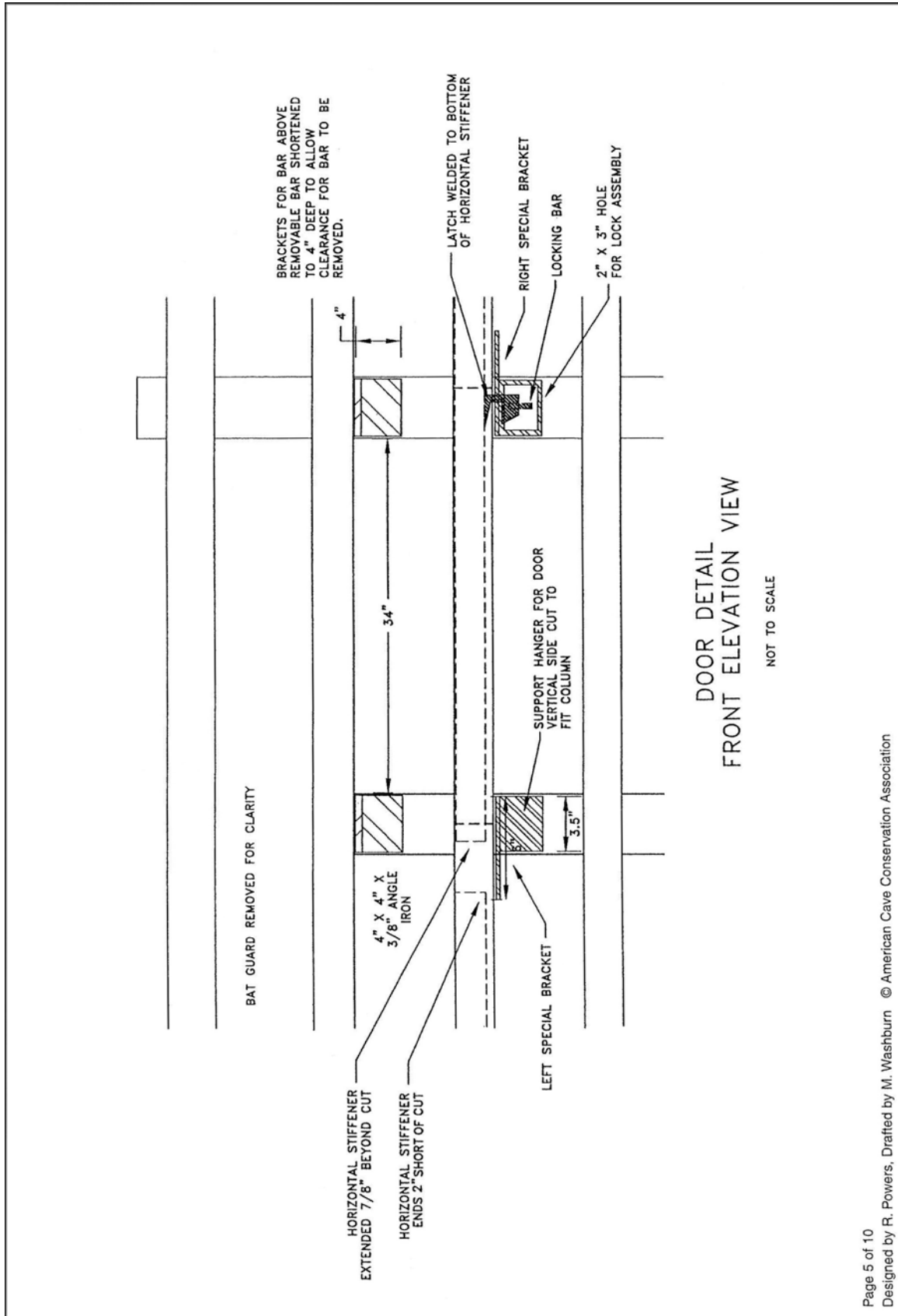


H) Bat Gate Design Specifications (continued)



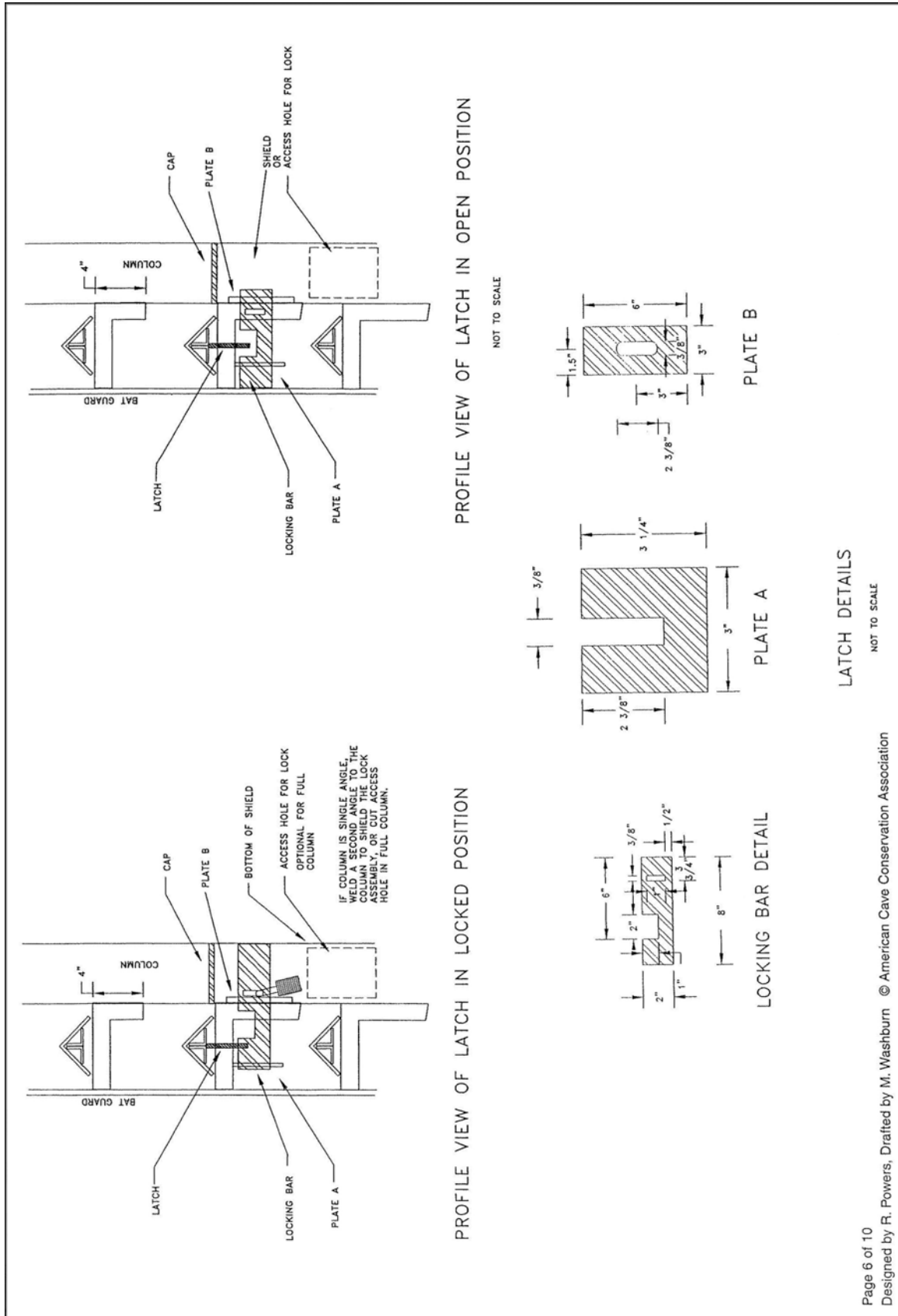
These plans are provided courtesy of the American Cave Conservation Association and are revised annually. Contact the ACCA for current construction specifications on special needs. See <http://batcon.org/home/index.asp?idPage=53&idSubPage=87>, pages 34-46 (click on the links to "Chapters" 34-46 of the Bats and Mines Handbook).

H) Bat Gate Design Specifications (continued)



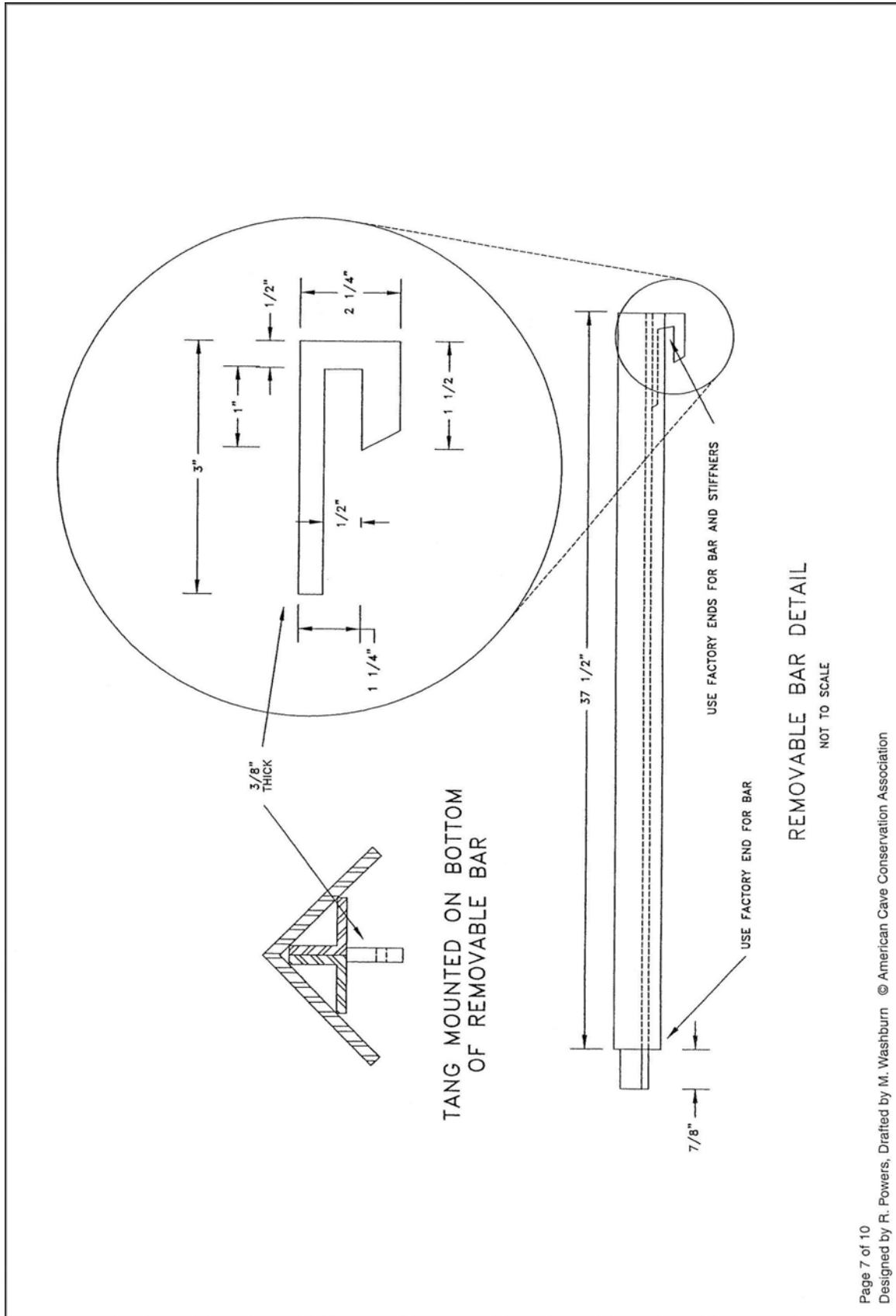
These plans are provided courtesy of the American Cave Conservation Association and are revised annually. Contact the ACCA for current construction specifications on special needs. See <http://batcon.org/home/index.asp?idPage=53&idSubPage=87> pages 34-46 (click on the links to "Chapters" 34-46 of the Bats and Mines Handbook).

H) Bat Gate Design Specifications (continued)



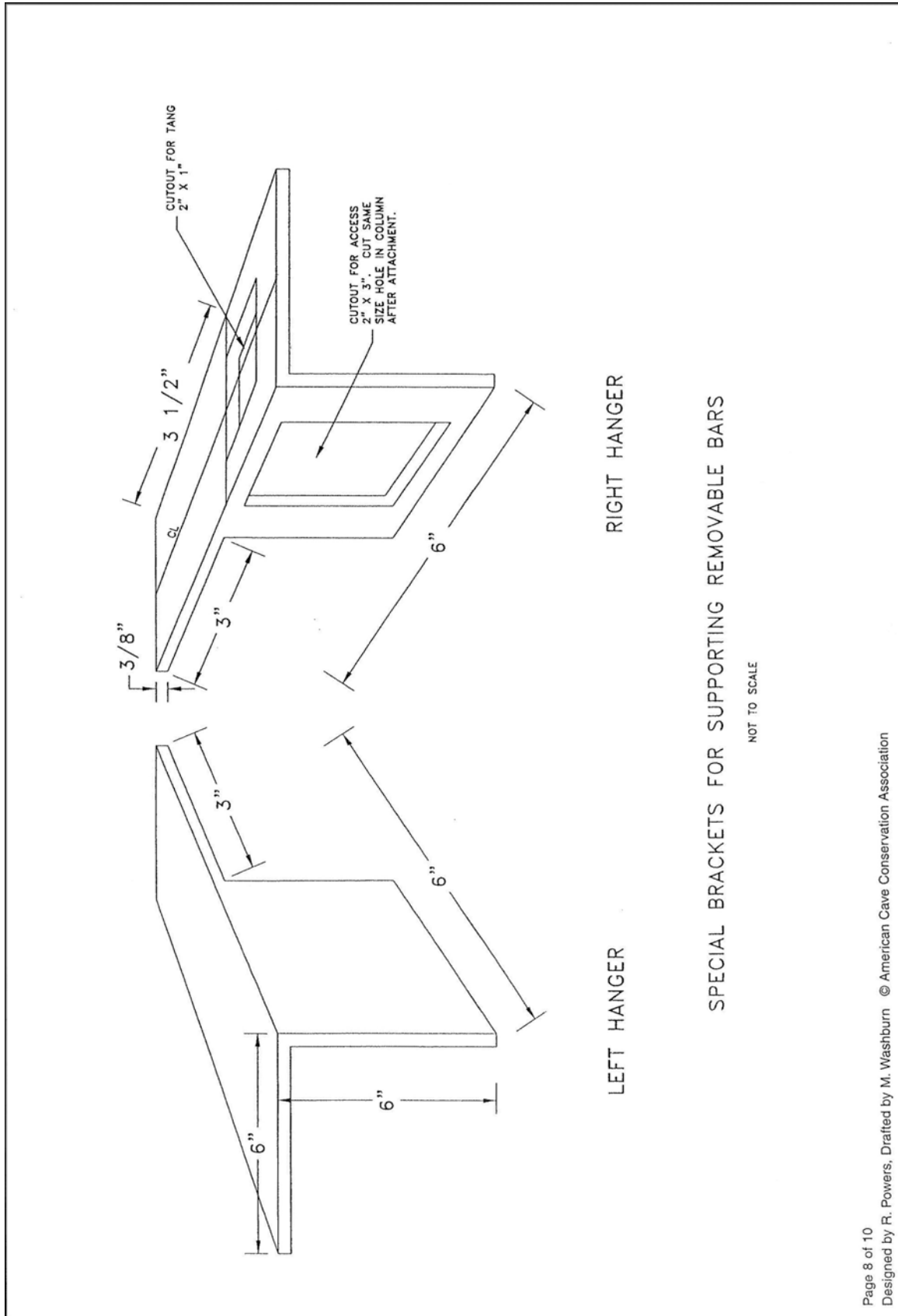
These plans are provided courtesy of the American Cave Conservation Association and are revised annually. Contact the ACCA for current construction specifications on special needs. See <http://batcon.org/home/index.asp?idPage=53&idSubPage=87>, pages 34-46 (click on the links to "Chapters" 34-46 of the Bats and Mines Handbook).

H) Bat Gate Design Specifications (continued)



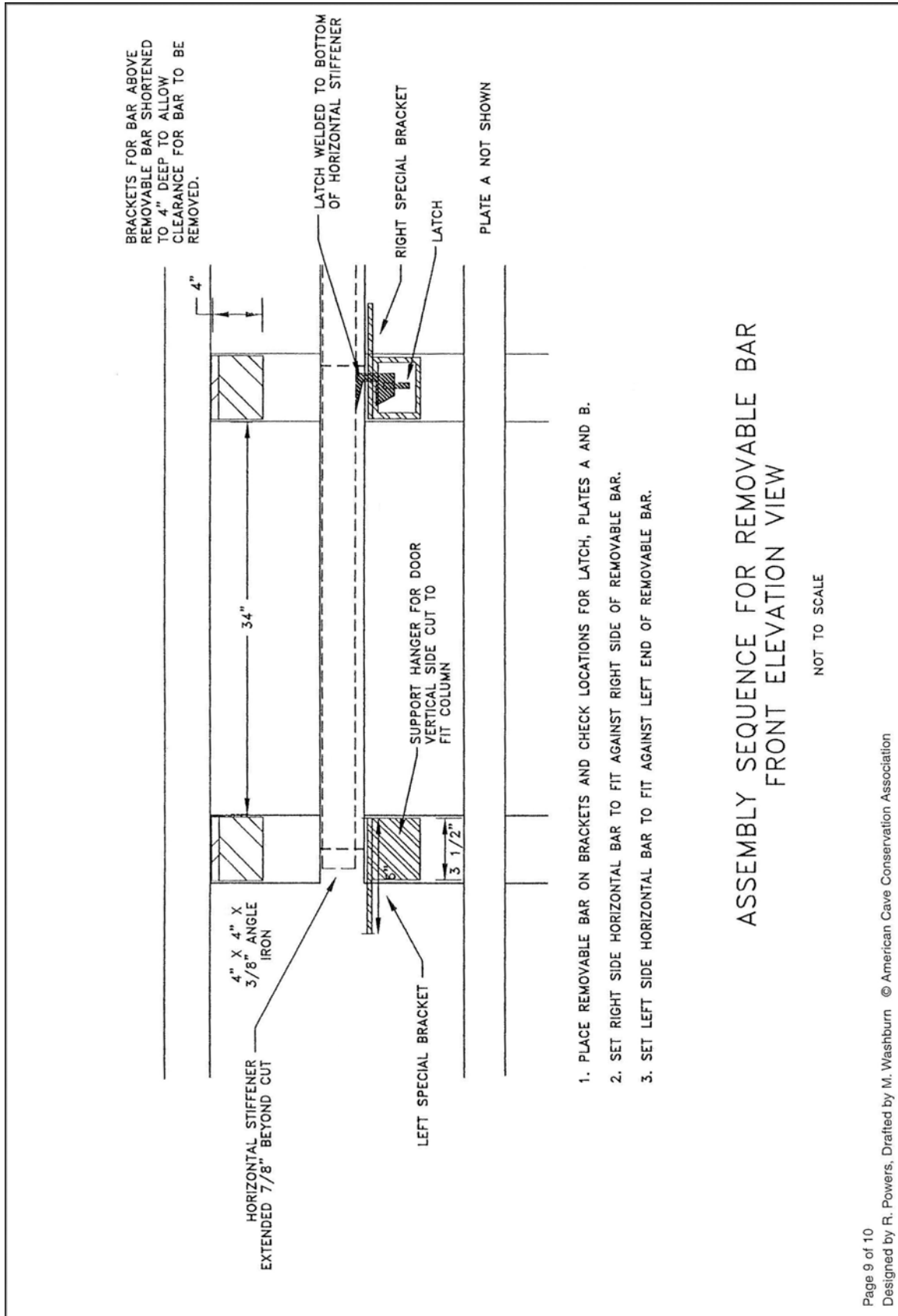
These plans are provided courtesy of the American Cave Conservation Association and are revised annually. Contact the ACCA for current construction specifications on special needs. See <http://batcon.org/home/index.asp?idPage=53&idSubPage=87>, pages 34-46 (click on the links to "Chapters" 34-46 of the Bats and Mines Handbook).

H) Bat Gate Design Specifications (continued)



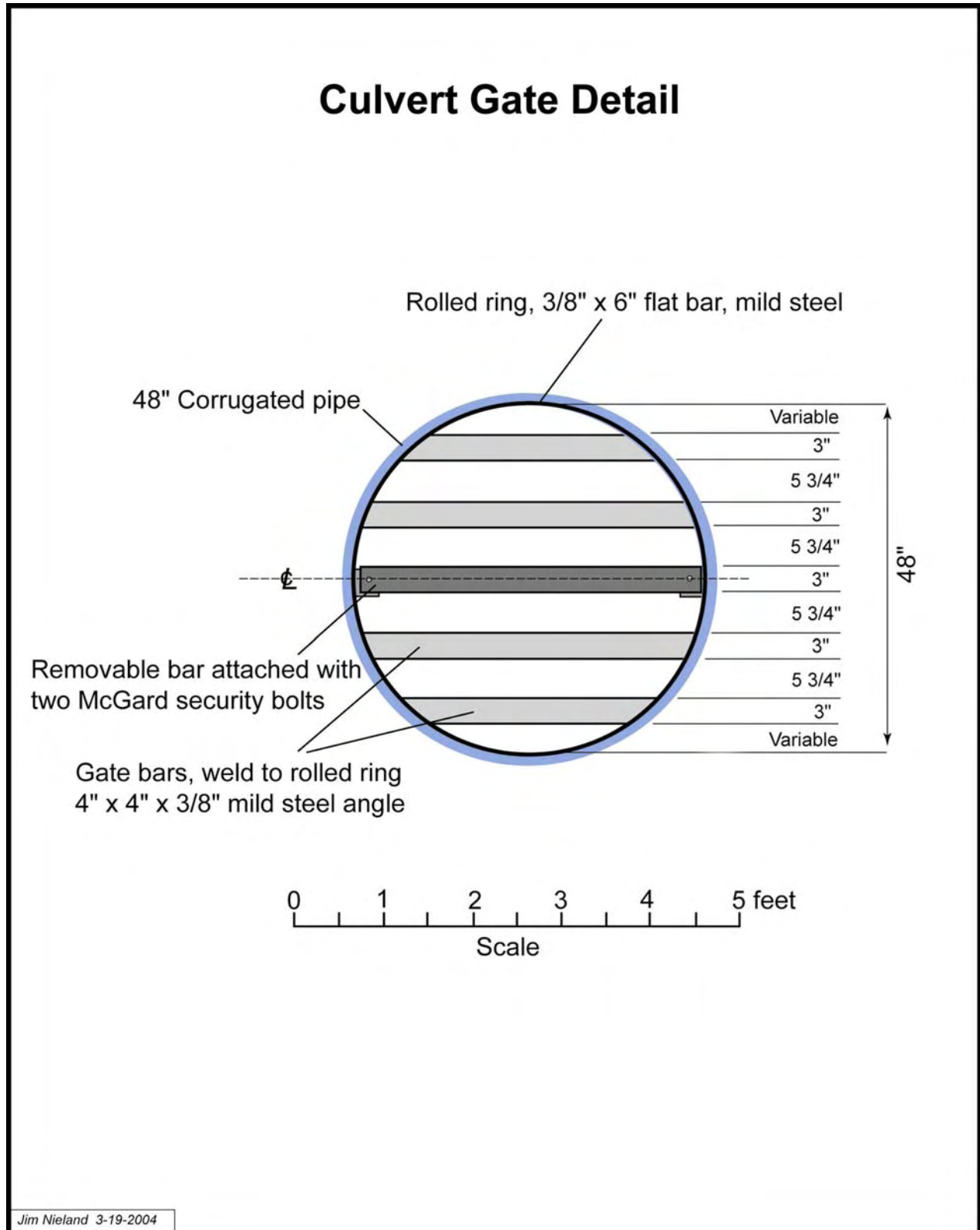
These plans are provided courtesy of the American Cave Conservation Association and are revised annually. Contact the ACCA for current construction specifications on special needs. See <http://batcon.org/home/index.asp?idPage=53&idSubPage=87>, pages 34-46 (click on the links to "Chapters" 34-46 of the Bats and Mines Handbook).

H) Bat Gate Design Specifications (continued)



These plans are provided courtesy of the American Cave Conservation Association and are revised annually. Contact the ACCA for current construction specifications on special needs. See <http://batcon.org/home/index.asp?idPage=53&idSubPage=87>, pages 34-46 (click on the links to "Chapters" 34-46 of the Bats and Mines Handbook).

I) Culvert Gate Detail



These plans are provided courtesy of the Mendocino National Forest. This is the Department of Conservation's preferred design for culvert gates. Any changes to this design must be approved by the Department before the culvert is installed.